

IN RE THE MATTER OF:

**John Federspiel, Owner
Feders Meats
16619 Lima Road
Huntertown, IN 46748**

**Re: Variance Request Dated November 20, 2008 and 410 IAC 7-24-195; Reduced
Oxygen Packaging; Criteria**

Order to Grant a Variance

You are hereby notified that based on the recommendation of the Food Protection Program, Indiana State Department of Health (ISDH), and as authorized by Indiana Code (IC) 16-19-3-4.3 and IC 16-42-5-5.2, the State Health Commissioner hereby orders that a variance be issued to Mr. John Federspiel, owner, Feders Meats located at 16619 Lima Road, Huntertown, IN 46748.

This variance is based on the variance application submitted on November 20, 2008 and revised through July 20, 2009.

Order

This variance is subject to the following terms and conditions and is valid only for the time specified herein:

1. A variance is hereby issued to Mr. John Federspiel, owner, Feders Meats located at 16619 Lima Road, Huntertown, IN 46748 for the requirement of 410 IAC 7-24-195 which requires food products susceptible to the growth and toxin formation of *Clostridium botulinum* when packaged in a reduced oxygen atmosphere to have two (2) preventive barriers to the growth and toxin formation of *Clostridium botulinum*. This variance allows three products: 1.) venison jerky, 2.) venison & pork snack sticks and 3.) venison & pork summer sausage to be made using a combination of finished product nitrite concentrations and freezing as the primary safety factors instead of finished product nitrite concentrations and water activity. This variance is conditioned upon the following:
 - A. All employees participating in deer receiving or production of the three approved products must be trained on the Hazard Analysis and Critical Control Points (HACCP) Plan, Sanitation Standard Operating Procedures (SSOP's) and the conditions of this approval;


- B. All employees who participate in wild deer receiving shall be trained to recognize on the animal carcass common all signs of disease, including those of Chronic Wasting Disease (CWD) and Bovine Tuberculosis and reject any carcass suspected of being diseased;
 - C. The Department shall be notified of any substantive changes in the production process of the above named products that may affect the HACCP Plan criteria;
 - D. The controls for meeting the conditions of this approval shall be assessed by the state and/or local health department on each inspection to insure compliance with your SSOP's and HACCP plan;
 - E. A copy of this approval letter, laboratory sample testing results, and the HACCP plan (including critical control point logs), as received by ISDH on July 20, 2009 must be kept onsite in the establishment at all times and readily available for review by the local or state health department personnel;
 - F. A Certified Food Handler is provided for this location to properly oversee all food safety requirements; and
 - G. Monthly testing shall be conducted on finished product with sampling commencing with the first batch of the above named products for each full or partial calendar month during the Indiana deer hunting season as declared by the Indiana Department of Natural Resources. Testing shall be conducted by a certified laboratory and shall include at least tests to determine the presence of *Eschericia coli* O157:H7, *Salmonella* spp., *Listeria monocytogenes* and to determine that residual nitrite concentrations are at least 100ppm and not more than 200ppm.
 - H. If laboratory or epidemiological evidence implicates that one or more of the above named products has caused, or is likely to cause, illness a 100% recall of all implicated products must be performed. Recalled products must be destroyed.
 - I. All finished product processed under this approval must be maintained frozen and a label affixed to the package providing instructions to the consumer to maintain it frozen or remove it from the package if not kept frozen.
2. This variance does not extend to any other locations except for the one mentioned above. There shall be no other food establishments in Indiana conducting this process by this company unless explicitly approved by the Indiana State Department of Health. The establishment must request and receive approval from the ISDH Food Protection Program prior to adding new Indiana locations to this variance.
 3. Feders Meats shall comply in all aspects of the 410 IAC 7-24, as determined by the Fort Wayne/Allen County Health Department, except as stated above. Any change to the management or structure of the operation could invalidate this variance Order

4. This variance Order is limited to the current owner of Feders Meats, Mr. John Fedespiel, and the current scope of the existing operations. This variance Order is not transferable to a new owner.
5. This variance Order is limited to being in compliance with all other applicable state and local regulations.
7. Failure to comply with any of the above conditions could result in the revocation of the variance approval.

DATED AT INDIANAPOLIS, INDIANA, THIS 19th DAY OF August 2009.

PURSUANT TO IC 16-19-3-4.3 AND IC 16-42-5-5.2, I HEREBY GRANT A VARIANCE OF FOOD PROTECTION RULES AS STATED ABOVE.

JUDITH A. MONROE, M.D.
STATE HEALTH COMMISSIONER

By: 
Loren Robertson
Deputy State Health Commissioner

cc: Allen County Health Department
ISDH Food Protection Program Staff